BEFORE THE BOARD OF NURSING HOME ADMINISTRATORS DEPARTMENT OF LABOR AND INDUSTRY STATE OF MONTANA

In the matter of the)	NOTICE	OF	AMENDMENT
amendment of ARM 8.34.418,)			
pertaining to fees)			

TO: All Concerned Persons

- 1. On October 17, 2002, the Board of Nursing Home Administrators published MAR Notice No. 8-34-34 regarding the public hearing on the proposed amendment of the above-stated rule relating to fees, at page 2817 of the 2002 Montana Administrative Register, issue no. 19.
- 2. The public hearing was held on November 12, 2002. The Board has amended ARM 8.34.418 exactly as proposed.
- 3. One written comment was received and appears with the Board's response:

<u>COMMENT</u>: Sylvia Hammer, a licensed Nursing Home Administrator, commented in opposition to the proposed amendment. Ms. Hammer stated that it feels like "balancing the budget is being put on the shoulders of the licensees." In addition, she feels the fee increases are unreasonable.

RESPONSE: The Board acknowledged and thanked Ms. Hammer for her comment(s) but went on to state that fees licensees pay are for Board use only, not to balance the State's budget. The Board is self-supporting and licensees do have to absorb costs needed to administer the Board. Section 37-1-134, MCA requires that fees must be commensurate with costs.

BOARD OF NURSING HOME ADMINISTRATORS DEBORAH WILSON, CHAIR

/s/ WENDY J. KEATING
Wendy J. Keating, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

/s/ KEVIN BRAUN Kevin Braun Rule Reviewer

Certified to the Secretary of State February 14, 2003.